

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 20403-5107

REGULATORY DIVISION

Refer to: P/N SAC-2021-00849

June 2, 2021

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), a prospectus has been submitted to the Department of the Army and the South Carolina Interagency Review Team by

SCP Mossy Bend, LLC
ATTN: WADE WALTMYER
2570 COMMERCE PARKWAY
NORTH PORT, FLORIDA 34289

for a proposal to establish and operate a wetland and stream mitigation bank that is adjacent to the

BLACK RIVER

at a location approximately 4 miles south of Mayesville and north of Eastern School Road, Mayesville, Sumter County, South Carolina (Latitude: 33.927627 °, Longitude: -80.221307 °), Mayesville U.S. Geological Service Quadrangle sheets.

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by the **Corps** until

30 Days from the Date of this Notice

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed project consists of establishing a freshwater wetland and stream mitigation bank in the Black River watershed (8-digit Hydrologic Unit Codes 03040205). The proposed 722.3-acre mitigation site includes approximately 696.7 acres of freshwater wetlands and 22,000 linear feet (lf) of non-wetland waters (manmade ditches).

The proposal is to enhance the hydroperiod of 696.7 acres of freshwater wetlands by plugging/filling 22,000 lf of ditches and installing additional culverts and/or breaches (i.e., low water crossings) through elevated roadbeds. Of that area, 129.4 acres will also be enhanced through removal/thinning of loblolly pine and replanted with native wetland hardwoods. Approximately 7.2 acres of upland buffer will also be preserved. The bank sponsor, using a conservation easement, will protect the bank site.

NOTE: This public notice and associated plans are available on the Corps' website at:
<http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

Also, according to the Prospectus, the proposed mitigation bank will provide in-kind compensatory mitigation for authorized impacts to aquatic resources. The work required to complete the proposed activities on the mitigation site may be authorized under Nationwide Permit #27 after reviews by the Corps, the South Carolina Department of Health and Environmental Control, and the Interagency Review Team.

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would not impact estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). The District Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat of this species. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(1)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office and any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a

June 2, 2021

request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

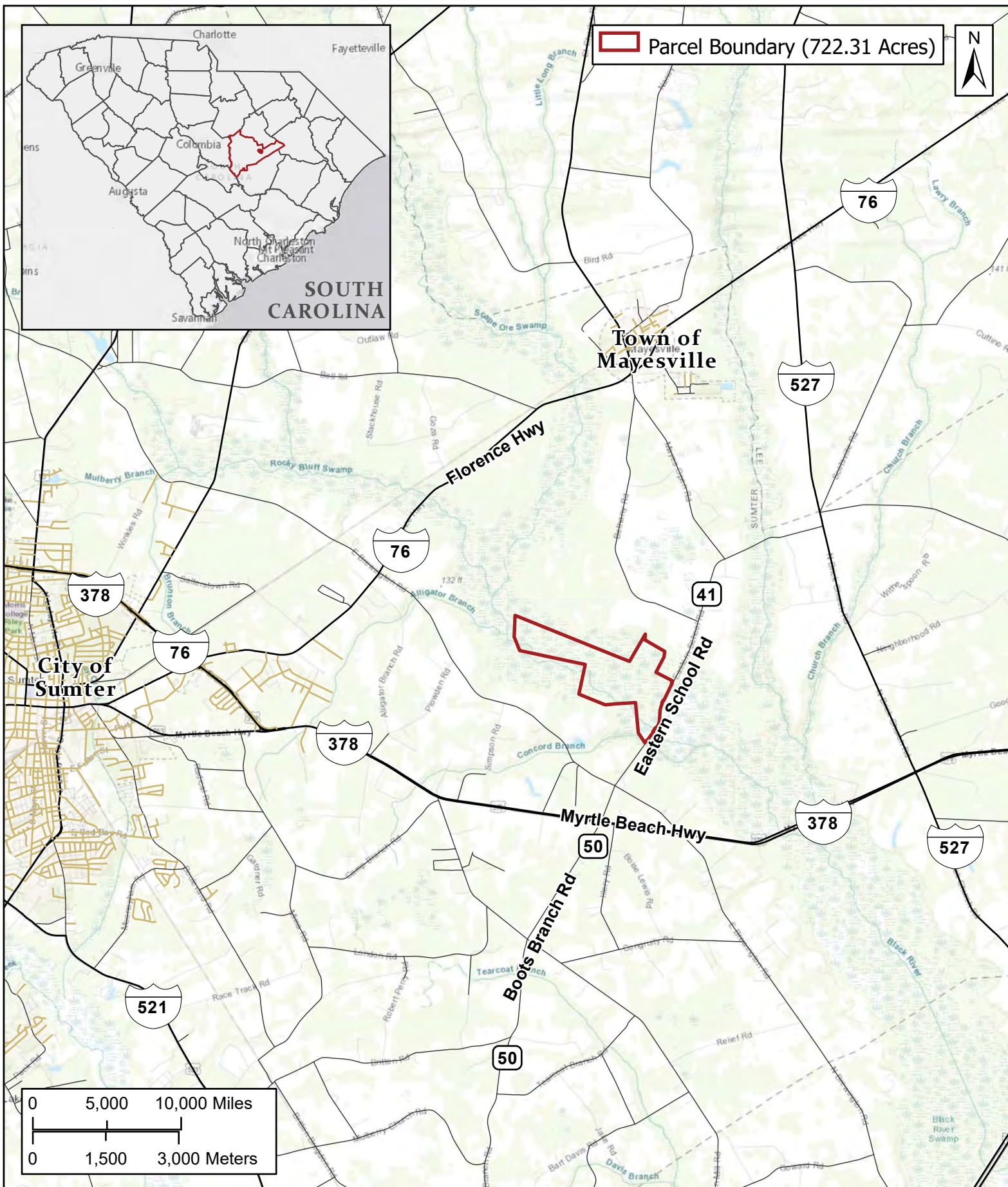
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps cannot undertake to adjudicate rival claims.

The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403**

The Prospectus for the proposed mitigation bank is available for review upon request. If there are any questions concerning this public notice, please contact Katelyn M. Rainville at (978) 318-8677 or by email at Katelyn.M.Rainville@usace.army.mil.



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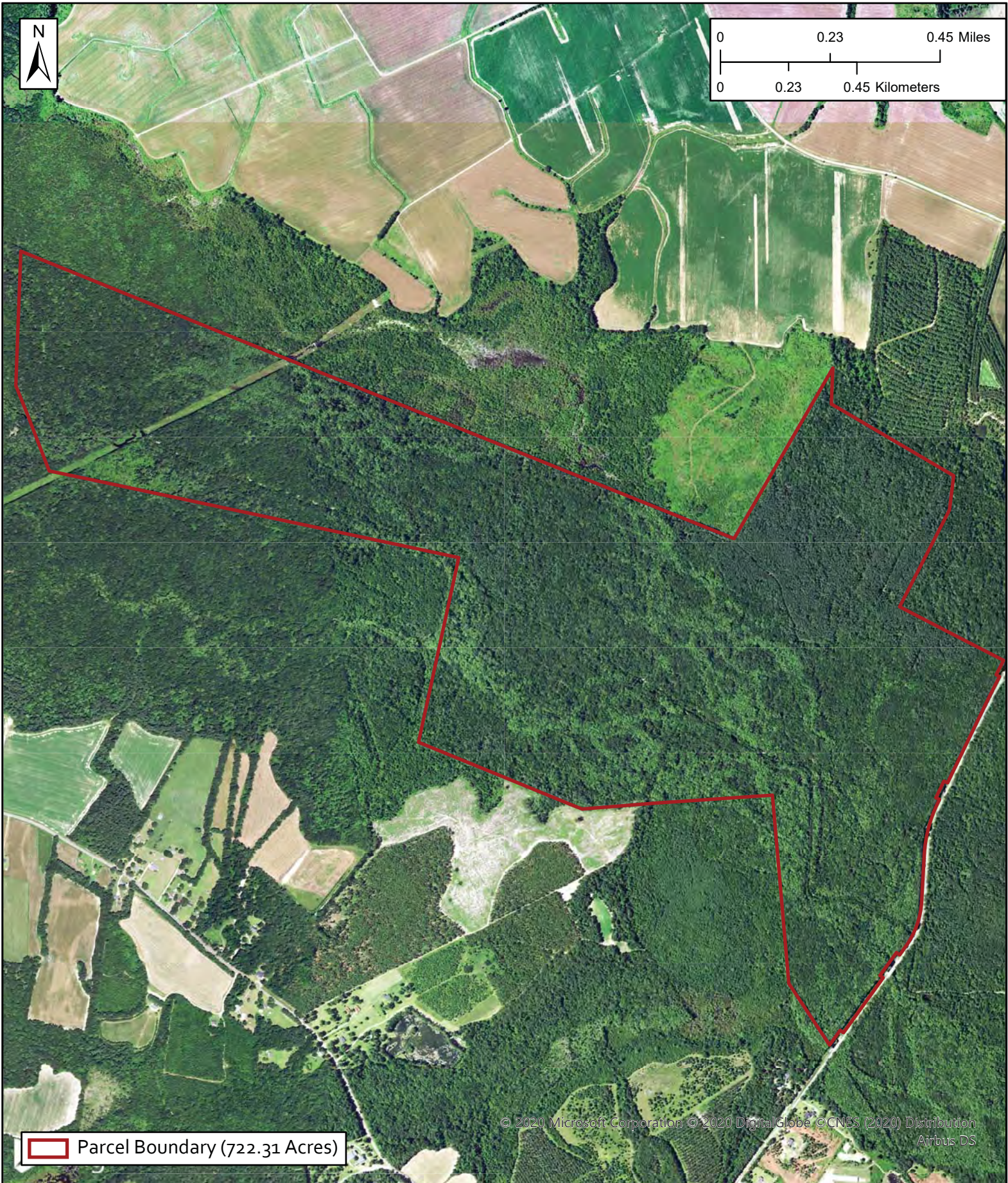
EXHIBIT 1 MOSSY BEND MITIGATION BANK LOCATION MAP


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 North Port, FL 34289
 (941) 426-7878

FolderM:\Projects\m18\m_18805_SCPI\SC\PRO\SC_SaundersTimberParcels_20190809\



0 0.23 0.45 Miles
0 0.23 0.45 Kilometers



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 Parcel Boundary (722.31 Acres)

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EXHIBIT 2 MOSSY BEND MITIGATION BANK 2017 AERIAL

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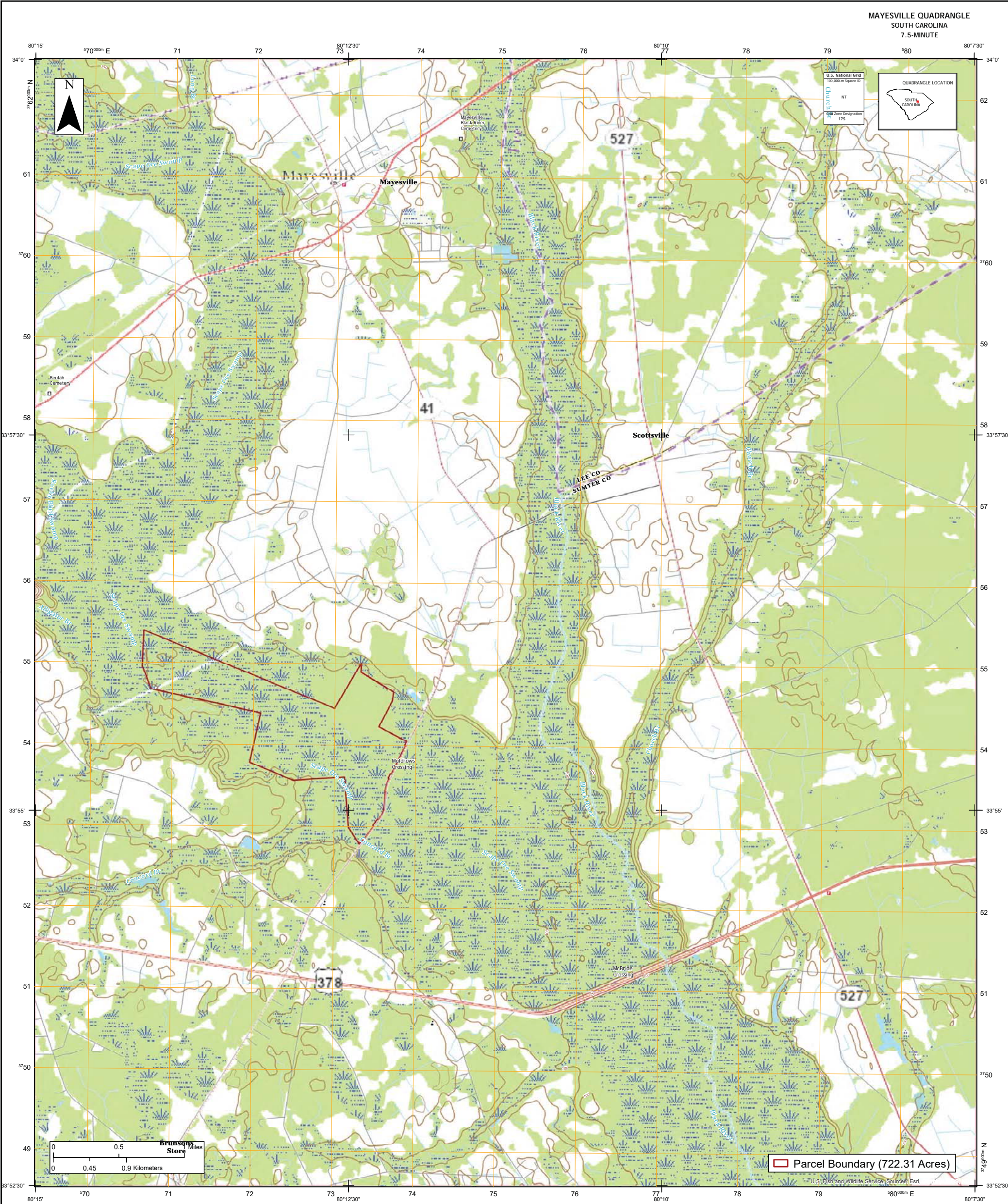
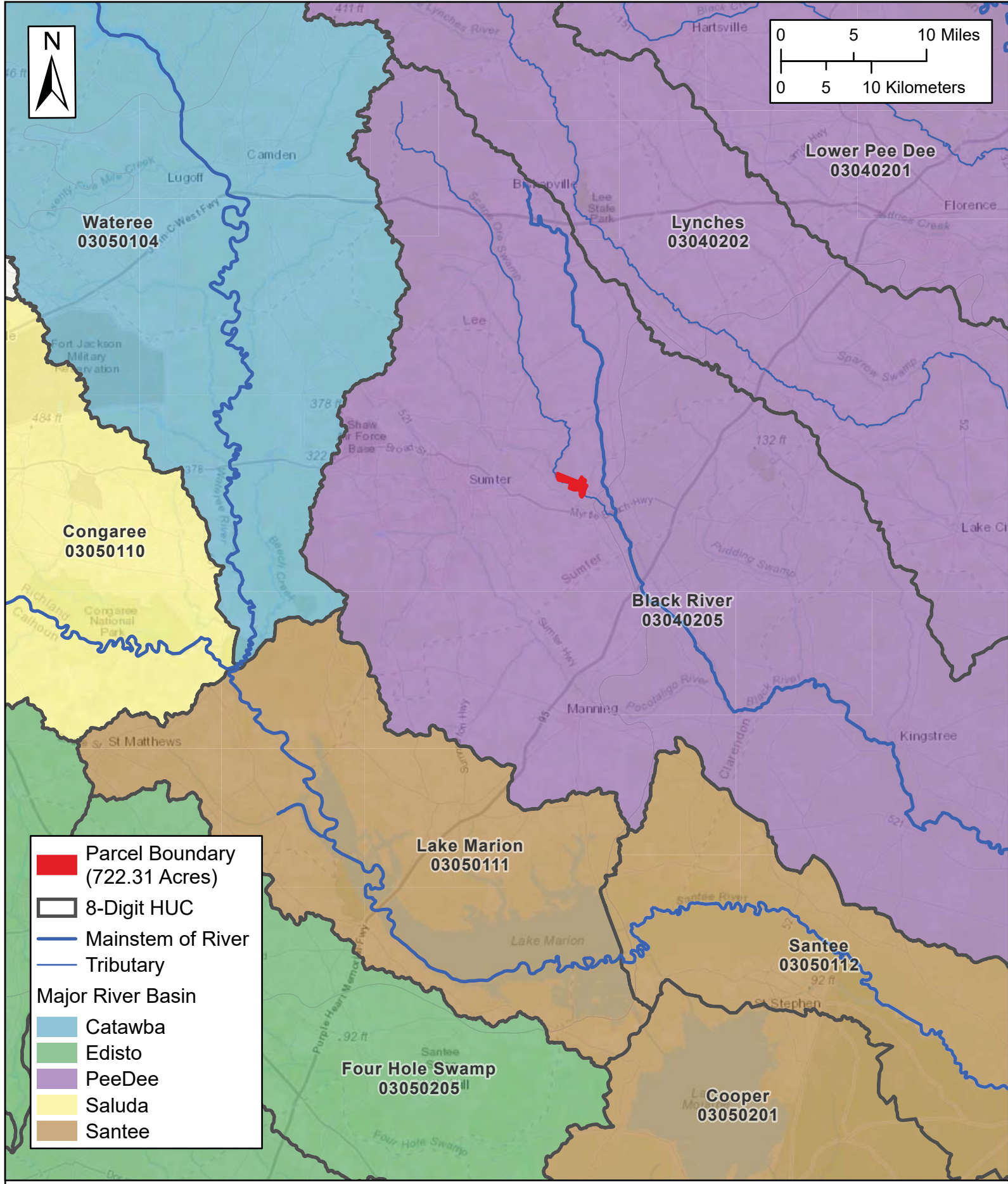
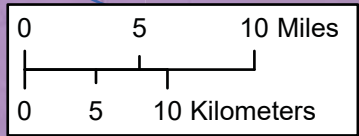


EXHIBIT 3
MOSSY BEND MITIGATION BANK
USGS TOPOGRAPHY MAP

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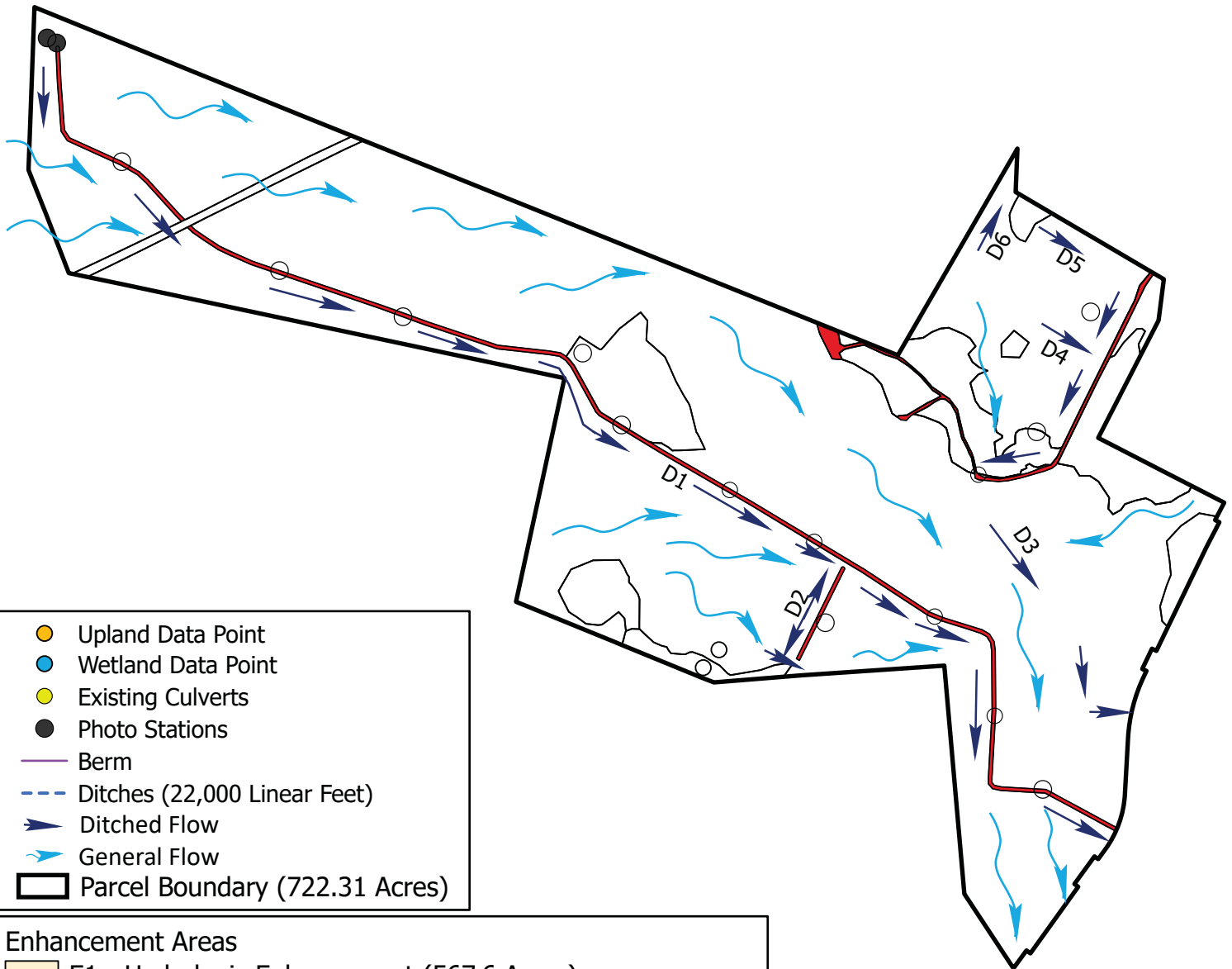
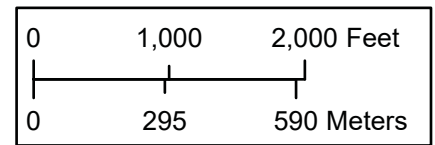


- Parcel Boundary (722.31 Acres)
- 8-Digit HUC
- Mainstem of River
- Tributary
- Major River Basin
 - Catawba
 - Edisto
 - PeeDee
 - Saluda
 - Santee

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EXHIBIT 4
MOSSY BEND MITIGATION BANK
8 - DIGIT HUC AND MAJOR RIVER BASINS

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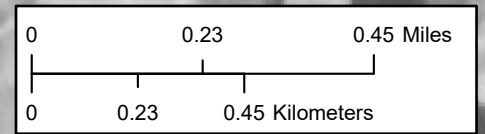
- Upland Data Point
- Wetland Data Point
- Existing Culverts
- Photo Stations
- Berm
- - - Ditches (22,000 Linear Feet)
- Ditched Flow
- General Flow
- ▭ Parcel Boundary (722.31 Acres)


- Enhancement Areas**
- E1 - Hydrologic Enhancement (567.6 Acres)
 - E2 - Hydrologic Enhancement - Pine Thinning (30.1 Acres)
 - E3a - Hydrologic Enhancement - Planted Pine (62.6 Acres)
 - E3b - Hydrologic Enhancement - Pine Clearcut (36.7 Acres)
 - U - Uplands (7.2 Acres)
 - Powerline Easement (4.9 Acres)
 - Roads (13.4 Acres)

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EXHIBIT 5
MOSSY BEND MITIGATION BANK
CURRENT CONDITIONS

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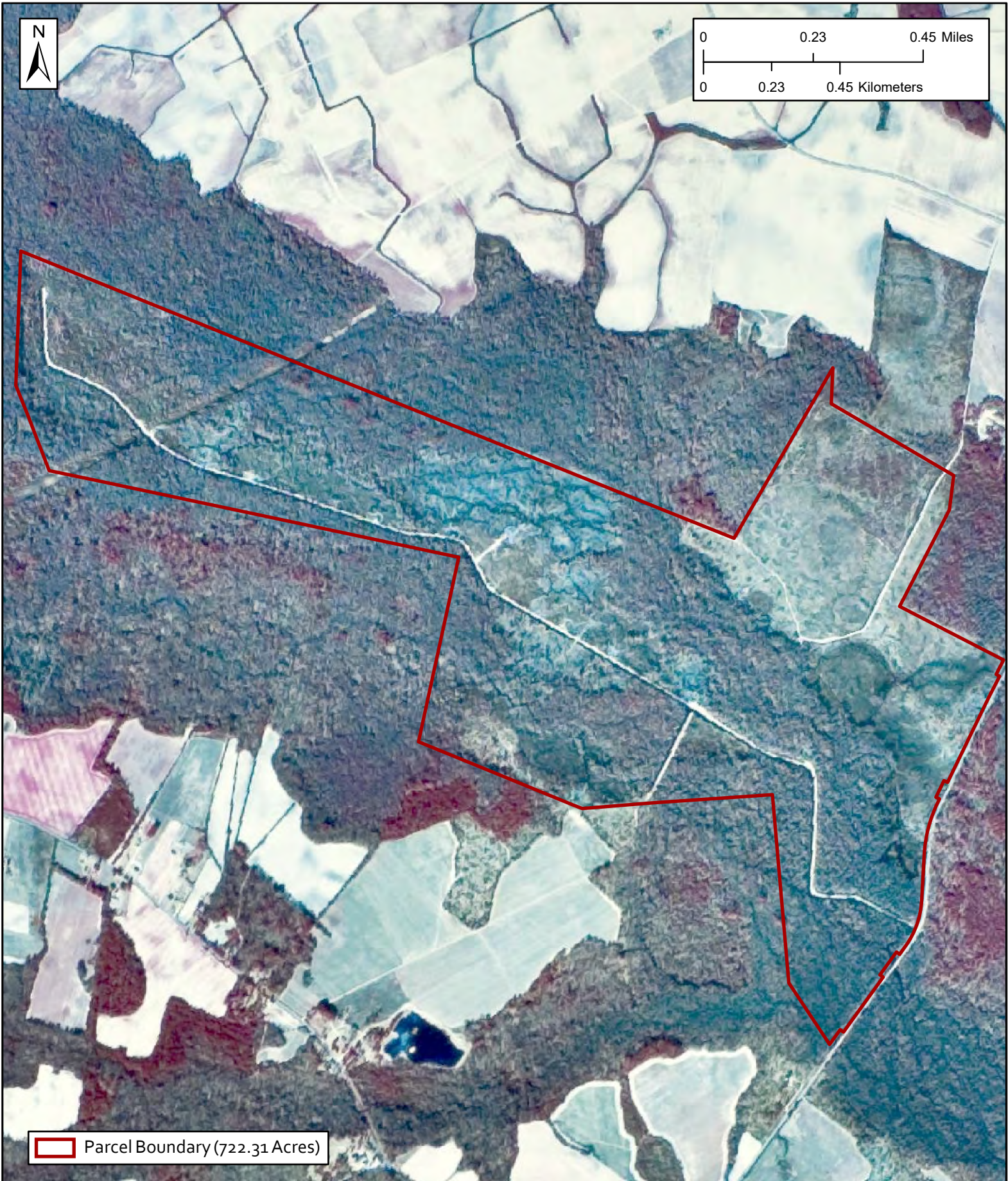
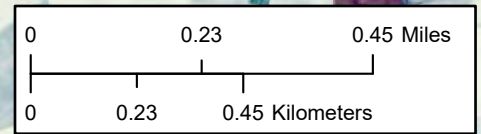


 Parcel Boundary (722.31 Acres)

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EXHIBIT 7A
MOSSY BEND MITIGATION BANK
1983 AERIAL

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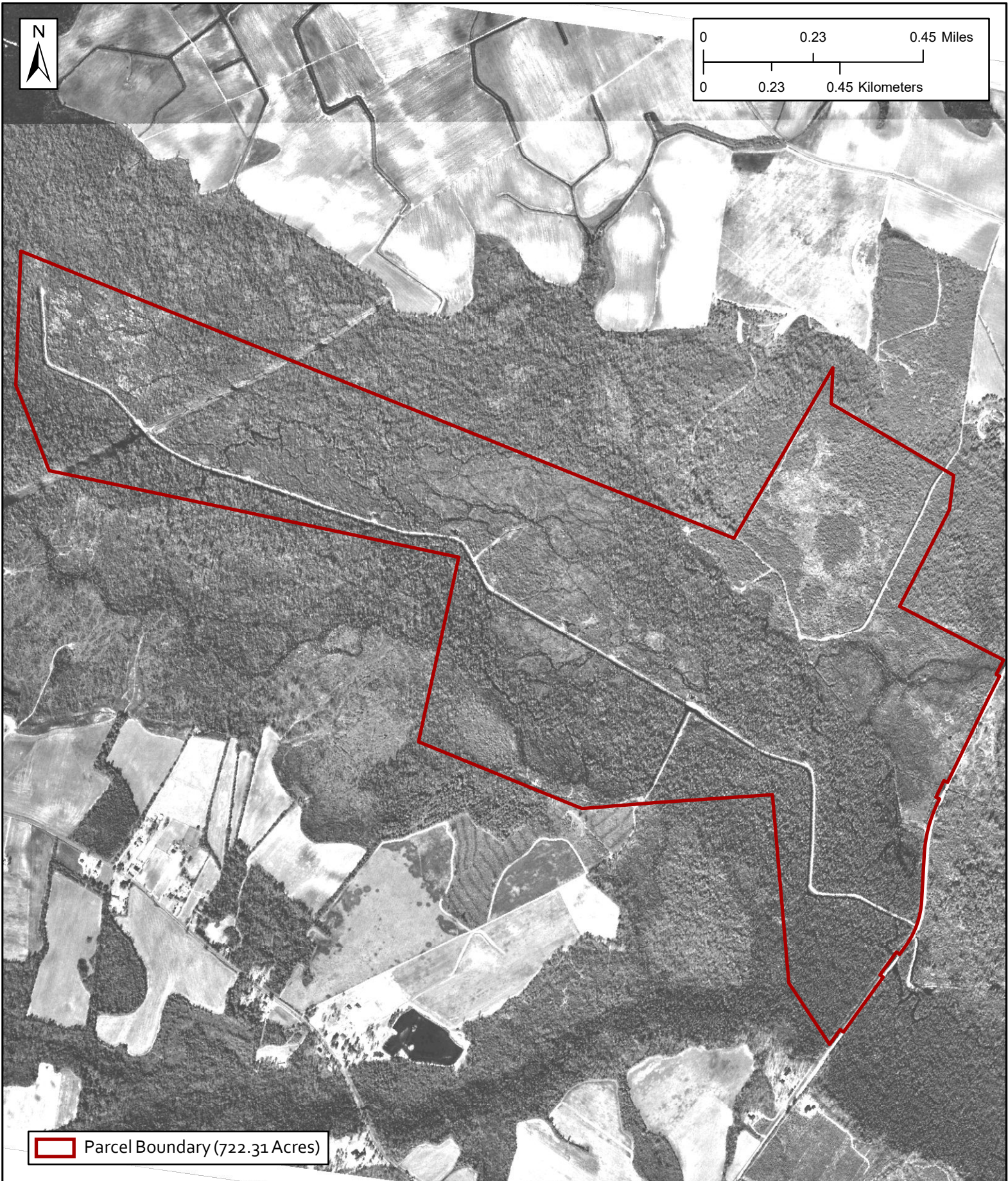
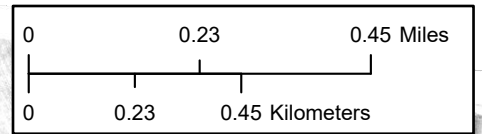
 Parcel Boundary (722.31 Acres)


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EXHIBIT 7B
MOSSY BEND MITIGATION BANK
1989 AERIAL

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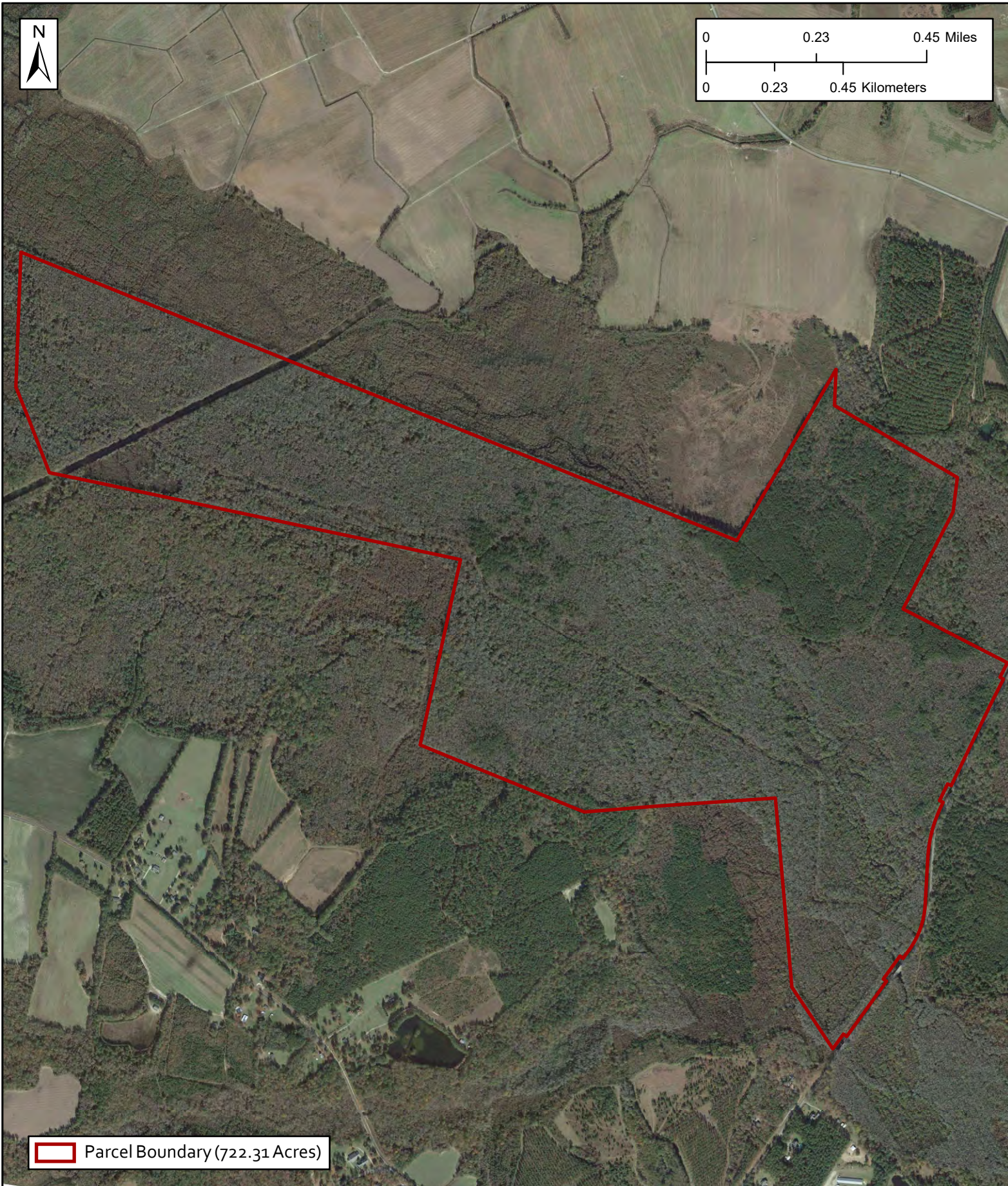
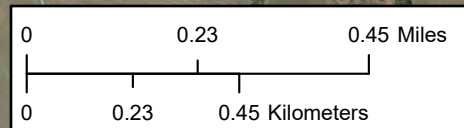
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EXHIBIT 7C
MOSSY BEND MITIGATION BANK
1994 AERIAL

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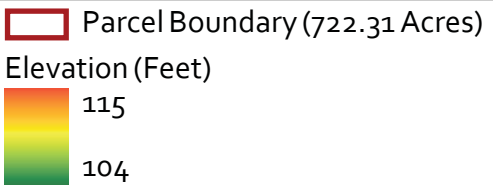
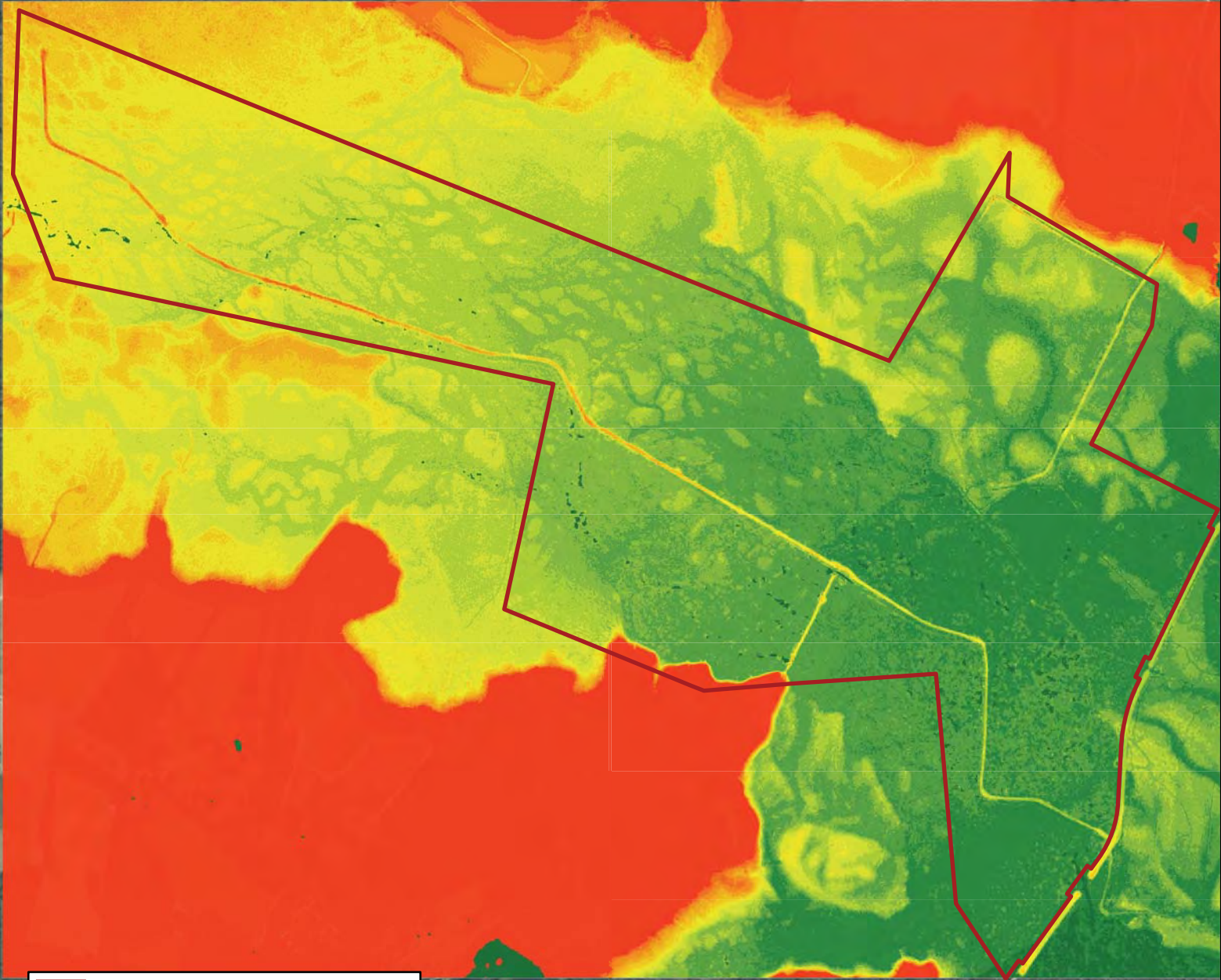
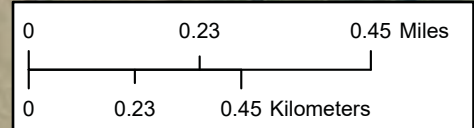


 Parcel Boundary (722.31 Acres)

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EXHIBIT 7D
MOSSY BEND MITIGATION BANK
2015 AERIAL

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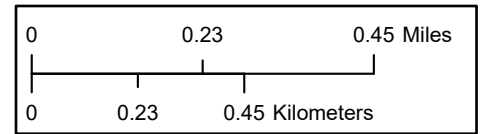



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




EXHIBIT 8 MOSSY BEND MITIGATION BANK LIDAR

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 Parcel Boundary (722.31 Acres)

Soil Map Unit

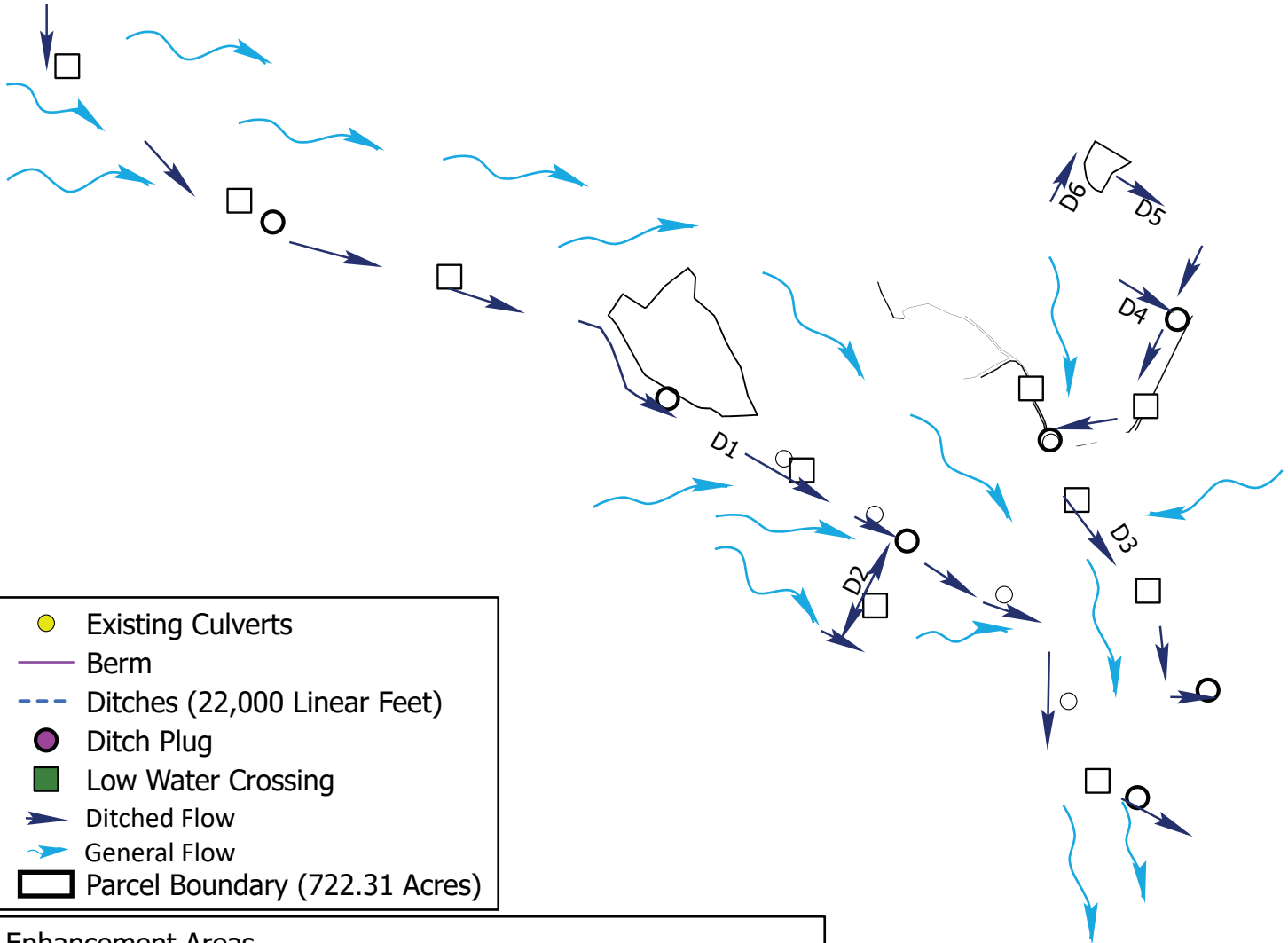
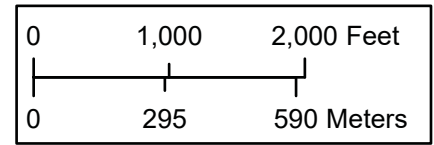
-  AnB - Alaga-Blanton-Johns complex, 0 to 2 percent slopes, rarely flooded (2.48 Acres)
-  JnA - Johnston mucky sandy loam, 0 to 2 percent slopes, frequently flooded (3.64 Acres)
-  ScA - Scapo-Mouzon complex, 0 to 2 percent slopes, frequently flooded (610.90 Acres)
-  TrD - Troup-Lucy-Nankin complex, 10 to 15 percent slopes (1.67 Acres)
-  YeA - Yemassee-Johns complex, 0 to 2 percent slopes, rarely flooded (103.62 Acres)

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EXHIBIT 9
MOSSY BEND MITIGATION BANK
NATURAL RESOURCES CONSERVATION SERVICE SOIL MAP


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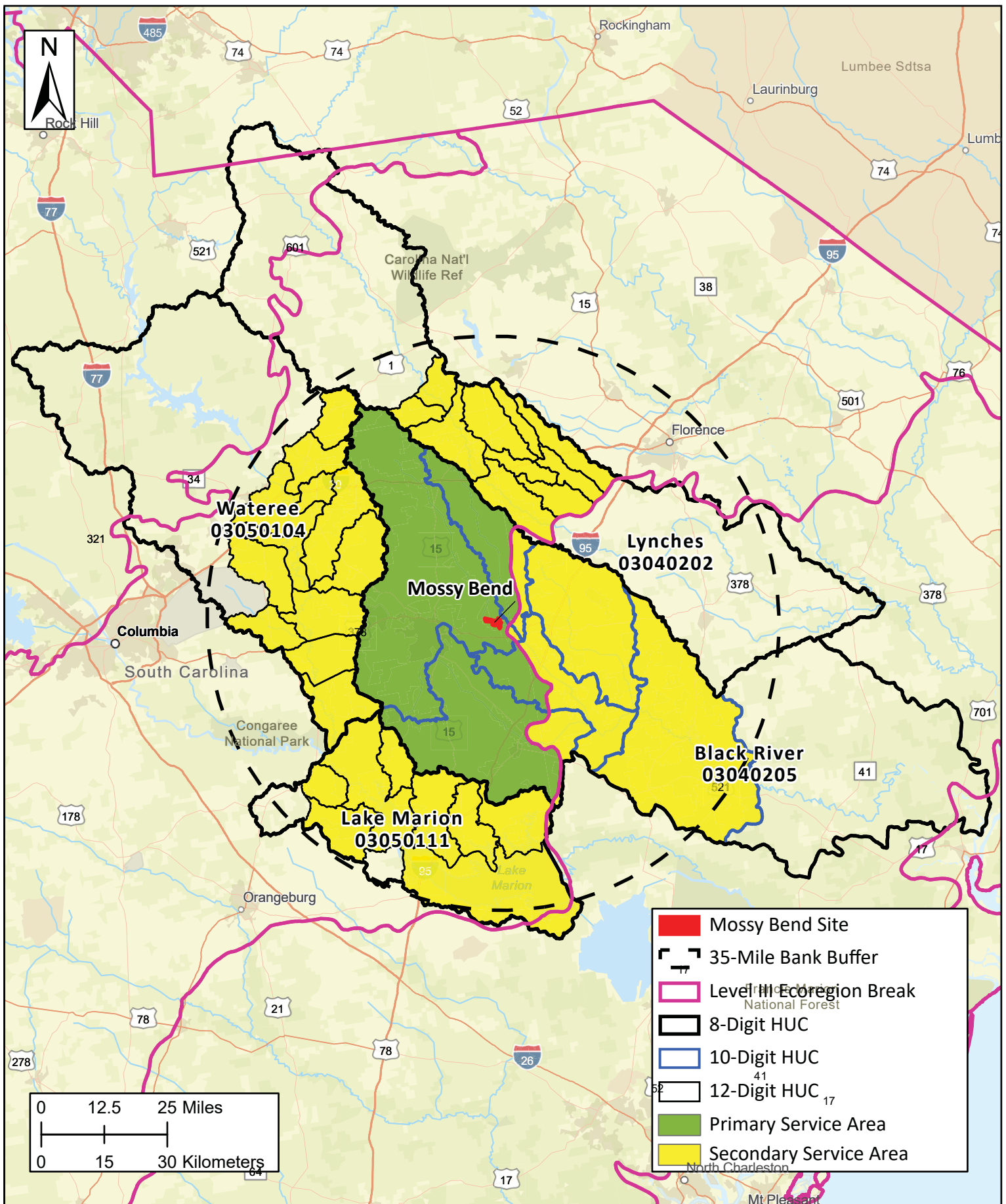


- Enhancement Areas**
- E1 - Hydrologic Enhancement (567.6 Acres)
 - E2 - Hydrologic Enhancement - Pine Thinning (30.1 Acres)
 - E3a - Hydrologic Enhancement - Planted Pine (62.6 Acres)
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EXHIBIT 10
MOSSY BEND MITIGATION BANK
CONCEPTUAL CONSTRUCTION PLAN

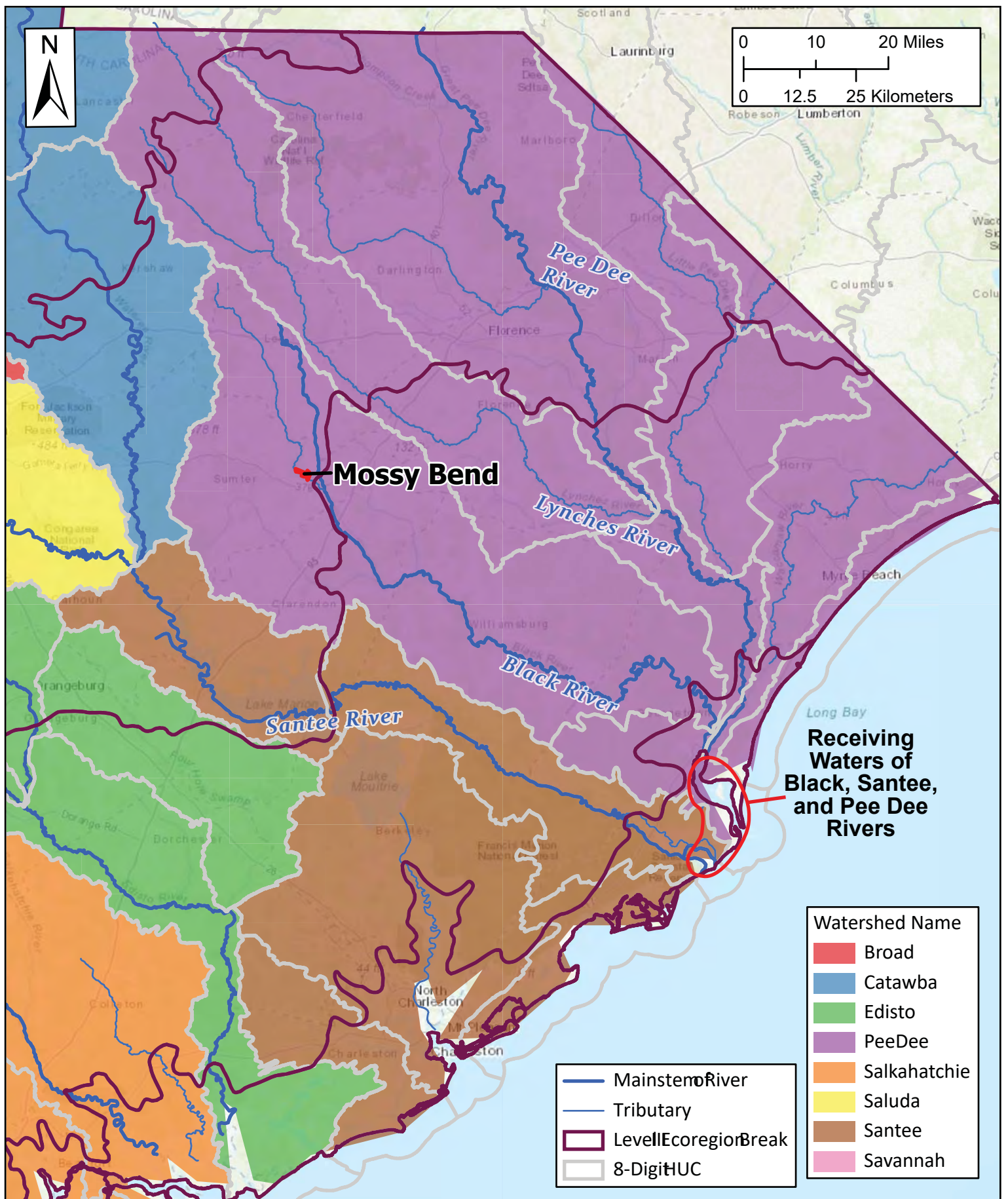
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EXHIBIT 12 MOSSY BEND MITIGATION BANK PROPOSED SERVICE AREA

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VERSION: 12/15/2020 5:38 PM
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EXHIBIT 13 MOSSY BEND MITIGATION BANK HEADWATERS AND RECEIVING WATERS

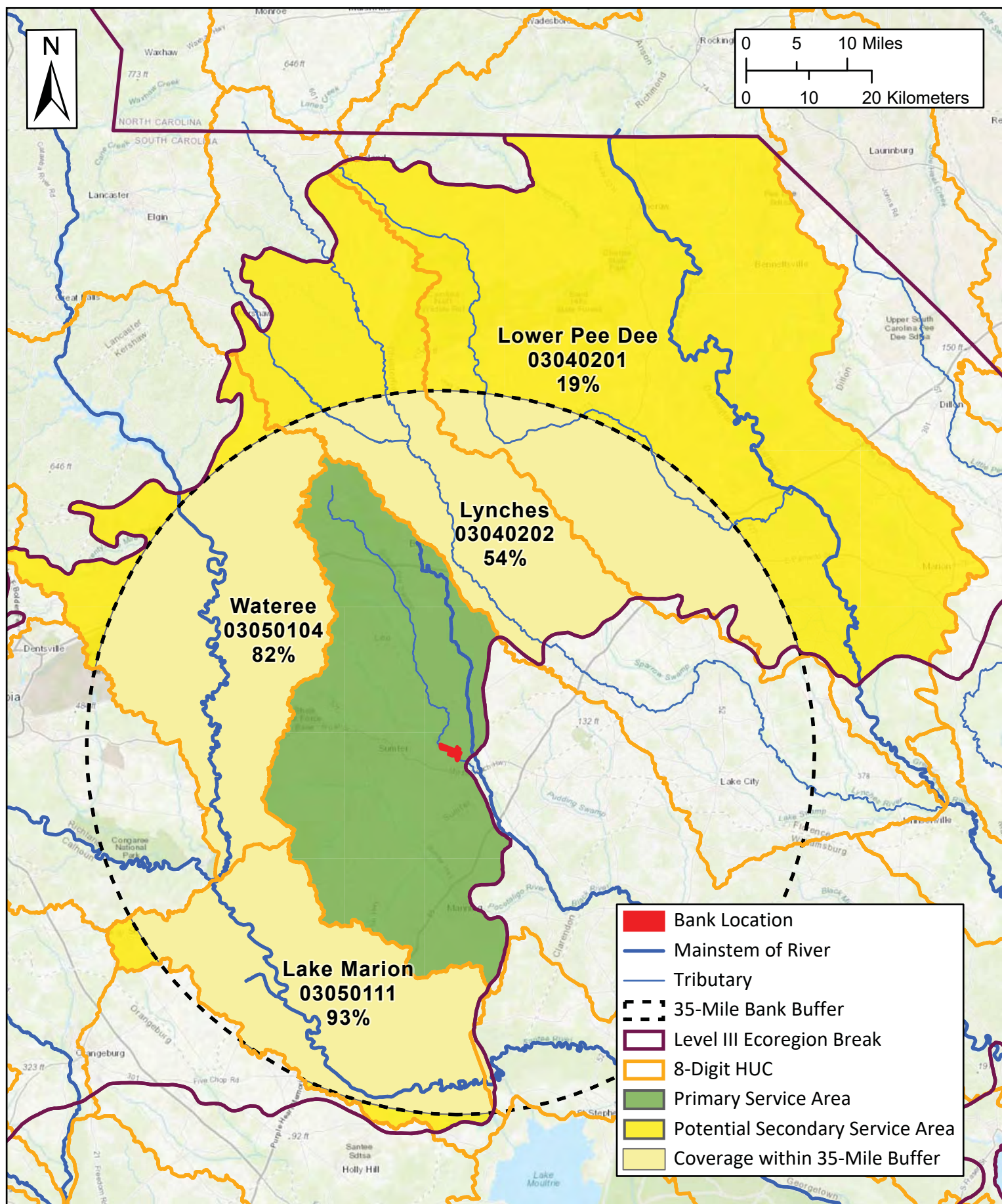
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EXHIBIT 14 MOSSY BEND MITIGATION BANK RIVER CONFLUENCE MAP

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VERSION: 5/26/2020 2:10 PM
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EXHIBIT 15 MOSSY BEND MITIGATION BANK HUC PROXIMITY

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